AUG 2 3 2010

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

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VOLTAGE PICTURES, LLC,	*	CIV. 10-MC-75
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Plaintiff, vs.	*	
	*	
	*	AFFIDAVIT OF MARJORIE L.
	*	JOHNSON
DOES 1-5,000,	*	
	*	
Defendants.	*	
	*	
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * *	* * * * * * * * * * * * * * * * * * * *
STATE OF SOUTH DAKOTA)		
: ss		

Marjorie L. Johnson, being first duly sworn on her oath, swears as follows:

COUNTY OF MINNEHAHA)

- 1. I work in Subpoena Compliance for Midcontinent Communications, Inc., and I make the statements contained in this Affidavit on my own personal knowledge, unless otherwise specifically indicated.
- Midcontinent Communications, Inc. is a telecommunications company located in Sioux Falls, South Dakota, and its records are located here, as well. Midcontinent Communications, Inc. provides, among other services, internet access to customers.
- 3. My position in Subpoena Compliance is located in Sioux Falls, South Dakota, and, in this position, I am responsible for accurate and timely processing subpoenas and court orders requesting documents or information from Midcontinent Communications, Inc.

4. I received the correspondence and subpoena attached to this Affidavit as Exhibit "A," and it came to Midcontinent Communications, Inc. via facsimile transmission. It was not personally delivered and did not arrive through the mails. This is the only subpoena that has been sent to Midcontinent Communications, Inc. in connection with the request for the information described in the attached subpoena.

5. No monetary compensation has been offered to Midcontinent Communications, Inc. for any witness fee or Midcontinent Communications, Inc.'s costs associated with the production requested in this subpoena.

6. I have conducted a sample search upon a few of the IP addresses identified in the attached subpoena, and based upon my sample search, I believe it would take me approximately three and one-half (3 ½) hours to retrieve the information requested to the cost of Three Hundred and Fifty Dollars (\$350.00) for Midcontinent Communications, Inc.

7. I attach a copy of Midcontinent Communications, Inc.'s current policy on Subpoenas and Requests for Customer Information as Exhibit "B."

Further affiant sayeth not.

Dated at Sioux Falls, South Dakota, this 23 day of August, 2010.

Subscribed and sworn to before me this 23° day of August, 2010.

Notary Public, State of South Dakota My commission expires: /1/24/2014